

Docket No. 10806-65

**CERTIFICATE OF MAILING**

I hereby certify that this paper is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Box Sequence Assistant Commissioner of Patents, Washington, DC 20231 on 10-18-99

*Diana M. Celia*  
Diana M. Celia



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PATENT

OCT 25 1999

GAÜ 1646  
TECH CENTER 1600/2900  
BOX SEE

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Anders Berkenstam et al. : Paper No.  
Serial No.: 09/143,828 : Group Art Unit: 1646  
Filed: August 31, 1998 : Examiner: T. Lee  
For: Novel Vitamin D Receptor Related Polypeptides, Nucleic Acid Sequence Encoding the Same and Uses Thereof

Box Sequence  
Assistant Commissioner for Patents  
Washington, D. C. 20231

Dear Sir:

Transmitted herewith is an Amendment in the above-identified application.

- [X] No additional fee is required.  
[X] Also attached: Disk containing sequence listing; 7 page sequence listing; copy of Notice to Comply; return postcard.

The fee has been calculated as shown below:

	NO. OF CLAIMS	HIGHEST PREVIOUS PAID FOR	EXTRA CLAIMS	RATE	FEE
Total Claims	36	36	0	x \$18 =	\$-0-
Independent Claims	4	4	0	x \$78 =	\$-0-
If multiple claims newly presented, add \$270.00					-----
Month Extension Fee					\$
Information Disclosure Statement					\$000.00
<b>TOTAL FEE DUE</b>					<b>\$-0-</b>

- [ ] A check in the amount of \$ is enclosed.  
[ ] Please charge my Deposit Account No. 04-1133 in the amount of \$.  
[x] The Commissioner is hereby authorized to charge payment of any additional fees associated with this communication or credit any overpayment, to Deposit Account No. 04-1133, including any filing fees under 37 CFR 1.16 for presentation of extra claims and any patent application processing fees under 37 CFR 1.17.

Respectfully submitted,

*Jackie A. Zurcher*  
Jackie A. Zurcher  
Registration No. 42,251

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492967.01



## UNITED STATES DEPARTMENT OF COMMERCE

## Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

(K)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
09/143,828	08/31/98	BERKENSTAM	A 10806-65

HM12/0929

EXAMINER

PAK, M

ART UNIT	PAPER NUMBER
1646	09/29/99
DATE MAILED:	

HOLLY D KOZLOWSKI  
DINSMORE & SHOHL  
1900 CHEMED CENTER  
255 EAST FIFTH STREET  
CINCINNATI OH 45202

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OCT 04 1999

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Date Received: 10/4/1999  
Action: I no. OA - sequence listing  
Due Date: 10/29/1999 (5/29/2000)  
Docketed By: J Salas  
I.D. Number: 10806-65



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
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EXAMINER	
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ART UNIT	PAPER NUMBER
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17

DATE MAILED:

Please find below a communication from the EXAMINER in charge of this application.

Commissioner of Patents

Serial No. 09/143,828

This application contains sequence disclosures that are encompassed by the definitions for nucleotide and/or amino acid sequences set forth in 37 CFR 1.821(a)(1) and (a)(2). However, this application fails to comply with the requirements of 37 CFR 1.821 through 1.825 for the reason(s) set forth on the attached Notice To Comply With Requirements For Patent Applications Containing Nucleotide Sequence And/Or Amino Acid Sequence Disclosures.

Applicant is given ONE MONTH, or THIRTY DAYS, whichever is longer, from the mailing date of this letter within which to comply with the sequence rules, 37 CFR 1.821 - 1.825. Failure to comply with these requirements will result in ABANDONMENT of the application under 37 CFR 1.821(g). Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). In no case may an applicant extend the period for reply beyond the SIX MONTH statutory period. Direct the reply to the undersigned. Applicant is requested to return a copy of the attached Notice to Comply with the reply.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Pak, whose telephone number is (703) 305-7038. The examiner can normally be reached on Monday through Friday from 9:30 AM to 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paula Hutzell, can be reached on (703) 308-4310.

Official papers filed by fax should be directed to (703) 308-4242. Faxed draft or informal communications with the examiner should be directed to (703) 308-0294.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-0196.

*Michael D. Pak*  
Michael Pak  
Patent Examiner  
Art Unit 1646  
22 September 1999



Application No.: 09/143,828

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING  
NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to these regulations, published at 1114 OG 29, May 15, 1990 and at 55 FR 18230, May 1, 1990.
- 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked-up "Raw Sequence Listing."
- 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- 7. Other:

**Applicant Must Provide:**

- An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216

For CRF Submission Help, call (703) 308-4212

For PatentIn software help, call (703) 308-6856

**PLEASE RETURN A COPY OF THIS NOTICE WITH YOUR RESPONSE**